

An. Code, sec. 5. 1904, sec. 5. 1888, sec. 5. 1886, ch. 497. 1906, ch. 766. 1920, ch. 549, sec. 5.

5. Before the Clerk of any of the Courts aforesaid shall issue any license he shall examine one of the contracting parties to the marriage, under oath, who shall appear personally before the Clerk and make application for the same, and the Clerk shall ascertain: first, the full name of the parties; second, their place of residence; third, their age; fourth, their color; fifth, whether married or single; sixth, whether related or not, if, so, in which degree of relationship; seventh, if ever divorced; which facts shall be set out in printed form to be signed by the person making the application.

A marriage procured through fraud may be vacated. What amounts to fraud. Marriage annulled. Jurisdiction. *Corder v. Corder*, 141 Md. 118.

Indictment for perjury under this section, upheld. *State v. Floto*, 81 Md. 601.

An. Code, sec. 6. 1904, sec. 6. 1888, sec. 6. 1865, ch. 130. 1866, ch. 102, 1882, ch. 357. 1886, ch. 497.

6. The clerk of each of said courts shall procure and keep a suitable and well-bound book in his office and among his records to be called "The Marriage License Book," in which he shall make a complete record of the issuing of said license and all the matters which he shall be required to ascertain relative to the rights of said parties to obtain said license, in which record shall appear in regular order the items testified to by the applicants for the marriage license as above set forth; and the names of each of the contracting parties shall be properly indexed; and upon the return of the certificate aforesaid it shall appear in said record when the same was filed and the name of the minister, or other person or persons by whom the ceremony was performed.

An. Code, sec. 7. 1904, sec. 7. 1888, sec. 7. 1886, ch. 497. 1920, ch. 549, sec. 7.

7. No such license shall issue unless the male be above the age of twenty-one years and the female above the age of eighteen years; provided, however, that if the parents or guardian assent thereto, in person or by writing, attested by two witnesses, such license may issue and the fact of such assent shall be made part of the record aforesaid.

Cited but not construed in *State v. Davis*, 70 Md. 240.

See notes to sec. 5.

An. Code, sec. 8. 1904, sec. 8. 1888, sec. 8. 1886, ch. 497, sec. 7A.

8. If in the course of the examination of any applicant for a marriage license it shall appear to the clerk of the court that any legal impediment exists under the laws of this State why the said parties shall not be joined in marriage, he shall withhold said license unless ordered by the court of which he is clerk to issue the same.

An. Code, sec. 9. 1904, sec. 9. 1888, sec. 9. 1886, ch. 497, sec. 7B.

9. A certified copy of the record of said marriage license and certificate under the hand of said clerk and seal of said court shall be received in all courts of this State as *prima facie* evidence of said marriage between the parties named therein.